

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

2:92-CR-00181-PMP

Plaintiff,

ORDER

vs.


CALVIN SPRINGER,

Defendant.

Before the Court for consideration is Defendant Springer's Motion for Relief from Judgment Under 28 U.S.C. Rule 60(b)(6) and U.S.C. § 2255 (Doc. #346) filed April 28, 2011, and Plaintiff's Response in Opposition thereto (Doc. #348) filed May 13, 2011. For the reasons set forth in the Government's response (Doc. #348) to Defendant's Motion the Court finds that Defendant Springer's Motion for Relief from Judgment Under 28 U.S.C. Rule 60(b)(6) and U.S.C. § 2255 (Doc. #346) is a successive habeas corpus petition which has not been certified by the Court of Appeals for the Ninth Circuit. United States v. Allen, 157 F.3d 661, 664 (9th Cir. 1998) and Thompson v. Calderon, 151 F.3d 918, 921 (9th Cir. 1998).

IT IS THEREFORE ORDERED that Defendant Springer's Motion for Relief from Judgment Under 28 U.S.C. Rule 60(b)(6) and U.S.C. § 2255 (Doc. #346) is **DENIED**.

DATED: May 24, 2011.



PHILIP M. PRO
United States District Judge